

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CARL ASHLEY,

Plaintiff,

No. 11-CV-10603

vs.

Hon. Gerald E. Rosen

DENNIS CRANE, *et al.*,

Defendants.
_____ /

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT
AND RECOMMENDATION, DISMISSING PLAINTIFF'S COMPLAINT,
AND DENYING PLAINTIFF'S MOTION FOR LEAVE TO AMEND

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on January 24, 2012

PRESENT: Honorable Gerald E. Rosen
United States District Chief Judge

This Section 1983 prisoner civil rights matter is presently before the Court on the December 7, 2011 Report and Recommendation of United States Magistrate Judge Laurie J. Michelson recommending that the Court (1) grant the Fed. R. Civ. P. 12(b)(6) Motion to Dismiss filed by Laurie Gidley, Michael Mullens and Becky Newman, the only remaining defendants in this action; (2) deny Plaintiff's Motion for Leave to file an amended complaint; and (3) dismiss Plaintiff's Complaint in its entirety, with prejudice. Plaintiff timely filed objections to the Magistrate Judge's Report and Recommendation.

Having reviewed the Magistrate Judge's Report and Recommendation, Plaintiff's Objections, and the Court's entire file of this action, the Court has concluded that, for the

reasons stated in the Report and Recommendation, Defendants' motion should be granted, Plaintiff's motion should be denied, and this case should, accordingly, be dismissed in its entirety.

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation of December 7, 2011 be, and hereby is, adopted by this Court.

IT IS FURTHER ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, Defendants' Motion to Dismiss [**Dkt. # 13**] be, and hereby is, GRANTED.

IT IS FURTHER ORDERED that Plaintiff's Motion for Leave to Amend [**Dkt. # 22**] is DENIED.

IT IS FURTHER ORDERED that the "Amended Complaint" [**Dkt. # 23**] filed by Plaintiff contemporaneously with his Motion for Leave to Amend be STRICKEN from the record.

IT IS FURTHER ORDERED that Plaintiff's Complaint be, and hereby is, DISMISSED in its entirety with prejudice.

Let Judgment be entered accordingly.

s/Gerald E. Rosen
Chief Judge, United States District Court

Dated: January 24, 2012

I hereby certify that a copy of the foregoing document was served upon counsel of record on January 24, 2012, by electronic mail and upon Carl Ashley, #136985, Chippewa Correctional Facility, 4269 W. M-80, Kincheloe, MI 49784 by ordinary mail.

s/Ruth A. Gunther
Case Manager